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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,712	08/16/2004	Juha-Pekka Koskinen	59643.00491	7200

32294	7590	02/27/2006	

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EXAMINER
NGUYEN, TUAN HOANG

ART UNIT	PAPER NUMBER
2643	

DATE MAILED: 02/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

<table>
<tr><td rowspan="2">Office Action Summary</td><td>Application No.
10/500,712</td><td>Applicant(s)
KOSKINEN ET AL.</td></tr>
<tr><td>Examiner
Tuan H. Nguyen</td><td>Art Unit
2643</td></tr>
</table>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 August 2004*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date *07/06/2004*.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

Priority

1.   Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which

papers have been placed of record in the file.

Information Disclosure Statement

2.   The information disclosure statement (IDS) submitted on 06/07/2004 has been

considered by Examiner and made of record in the application file.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed
> or described as set forth in section 102 of this title, if the differences between the
> subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was
> made.

4.   Claims 1-3, 5, 10-12, 13-15, 17, 22-24 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Lippelt (US PUB. 2005/0136890) in view of Sharon et al. (U.S

PUB. 2002/0025795 hereinafter, "Sharon").

        Regarding claims 1 and 13, Lippelt discloses communication network configured

to allow charging against prepaid credit in relation to a first terminal, the network

including an accounting server and an accounting client capable of generating costs

associated with a service in the network, the network being configured to: accept a

request from the first terminal for establishment of a call between the first terminal and a

second terminal (page 2 [0015]); ascertain whether any costs generated by accounting

clients in the network, and associated with the call, are to be charged against prepaid

credit (page 2 [0016]); in the event some or all of the costs are to be charged against

prepaid credit, establish an accounting session between the accounting server and the

accounting client that will generate the costs to be charged against the prepaid credit,

the accounting session being allocated an accounting session identifier (Fig. 3 page 5

[0050]); and establish the call with the second terminal (page 2 [0020]). Lippelt differs

from the claimed invention in not specifically teaching the accounting client is configured

to send charging update data to the accounting server during the call; and the

accounting server is configured to collate the charging update data on the basis of the

accounting session identifier, thereby enabling updating of the prepaid credit during the

call. However, Sharon teaches the accounting client is configured to send charging

update data to the accounting server during the call (page 2 [0012]); and the accounting

server is configured to collate the charging update data on the basis of the accounting

session identifier, thereby enabling updating of the prepaid credit during the call (page 2

[0013]). Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify Lippelt for the accounting client is configured

to send charging update data to the accounting server during the call; and the

accounting server is configured to collate the charging update data on the basis of the

accounting session identifier, thereby enabling updating of the prepaid credit during the

call, as per teaching of Sharon, because it provides monitoring activity of a wireless

communication device such as a communication device communicating through a

cellular system. A particular application is monitoring activities, such as transactions,

performed utilizing the communication device for the purpose of charging, or crediting a

client account.

Regarding claims 2 and 14, Lippelt discloses a plurality of accounting clients that

generate costs in relation to the call, the network being configured to; establish

accounting sessions between each respective accounting client and the accounting

server, each of the accounting sessions being allocated a common accounting session

identifier associated with the call to be established (Fig. 3 page 5 [0050]). Lippelt differs

from the claimed invention in not specifically teaching each of the accounting clients is

configured to send charging update data to the accounting server during the call, the

charging update data including the accounting session identifier; and the accounting

server is configured to collate the charging update data from each of the accounting

clients on the basis of the accounting session identifier, thereby enabling updating of the

prepaid credit during the call. However, Sharon teaches each of the accounting clients

is configured to send charging update data to the accounting server during the call, the

charging update data including the accounting session identifier(page 2 [0012]); and the

accounting server is configured to collate the charging update data from each of the

accounting clients on the basis of the accounting session identifier, thereby enabling

updating of the prepaid credit during the call (page 2 [0013]). Therefore, it would have

been obvious to a person of ordinary skill in the art at the time the invention was made

to modify Lippelt for each of the accounting clients is configured to send charging

update data to the accounting server during the call, the charging update data including

the accounting session identifier; and the accounting server is configured to collate the

charging update data from each of the accounting clients on the basis of the accounting

session identifier, thereby enabling updating of the prepaid credit during the call, as per

teaching of Sharon, because it provides monitoring activity of a wireless communication

device such as a communication device communicating through a cellular system. A

particular application is monitoring activities, such as transactions, performed utilizing

the communication device for the purpose of charging, or crediting a client account.

        Regarding claims 3 and 15, Lippelt further discloses the accounting server is

located in the home network of the first terminal (page 1 [0012]).

Regarding claims 5 and 17, Lippelt further discloses configured such that the

accounting session identifier is allocated upon receipt in the network of the request for

establishment of a call from the first terminal (page 6 [0058]).

Regarding claims 10 and 22, Lippelt further discloses configured to ascertain

whether costs are to be charged against prepaid credit by looking up subscriber profile

data upon receipt of the request for establishment of the call (page 3 [0028]).

Regarding claims 11 and 23, Lippelt further discloses the network is an IP-

network (page 5 [0056]).

Regarding claims 12 and 24, Lippelt further discloses the network is a UMTS

network (page 5 [0048]).

5.   Claims 4 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Lippelt (US PUB. 2005/0136890) in view of Sharon et al. (U.S PUB. 2002/0025795

hereinafter, "Sharon") as applied to claims above, and further in view of Cobo et al. (U.S

PAT. 6,496,690 hereinafter, "Cobo").

Regarding claims 4 and 16, Lippelt and Sharon, in combination, fails to discloses

each accounting client takes the form of one of the following network entities:

SGSN/GGSN; S-CSCF/P-CSCF; and a network application server. However, Cobo

teaches each accounting client takes the form of one of the following network entities: SGSN/GGSN; S-CSCF/P-CSCF; and a network application server (col. 4 line 65 through col. 5 line 12). Therefore, it is obvious to one of ordinary skill in the art at the time the invention was made to incorporate the disclosing of Cobo into view of Lippelt and Sharon, in order to provide a prepaid subscriber service to a mobile subscriber in an integrated wireless telecommunications network having a circuit-switched portion and a General Packet Radio Service (GPRS) packet-switched portion.

6.   Claims 6-9 and 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lippelt (US PUB. 2005/0136890) in view of Sharon et al. (U.S PUB. 2002/0025795 hereinafter, "Sharon") as applied to claims above, and further in view of Chaney (U.S PAT. 6,947,724).

Regarding claims 6 and 18, Lippelt and Sharon, in combination, fails to discloses the request for establishment of a call is made via a Session Initiation Protocol (SIP) message sent from the first terminal. However, Chaney teaches the request for establishment of a call is made via a Session Initiation Protocol (SIP) message sent from the first terminal (col. 1 lines 16-39). Therefore, it is obvious to one of ordinary skill in the art at the time the invention was made to incorporate the disclosing of Chaney into view of Lippelt and Sharon, in order to provide billing a call placed by a user based on a reported traffic load in the network.

Regarding claims 7 and 19, Chaney further discloses the charging update data is sent from the accounting clients to the accounting server via a Diameter protocol message (col. 8 lines 1-6).

Regarding claims 8 and 20, Chaney further discloses the charging update data is sent from each accounting client to the accounting client in response to a Diameter protocol update request issued by the accounting server (Fig. 5 col. 8 lines 7-14).

Regarding claims 9 and 21, Chaney further discloses the accounting server issues the update requests to each accounting client periodically (col. 8 lines 43-53).

Conclusion

7.   Any response to this action should be mailed to:

Mail Stop_____ (Explanation, e.g., Amendment or After-final, etc.)

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Facsimile responses should be faxed to:

(571) 273-8300

Hand-delivered responses should be brought to:

Customer Service Window

Randolph Building

401 Dulany Street

Alexandria, VA 22313

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Tuan H. Nguyen whose telephone number is (571) 272-

8329. The examiner can normally be reached on 8:00Am - 5:00Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Maung Nay A. can be reached on (571) 272-7882. The fax phone number

for the organization where this application or proceeding is assigned is (571) 273-8300.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Tuan Nguyen   **EDAN ORGAD**
Examiner   **PATENT EXAMINER/TELECOMM.**
Art Unit 2643